

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

UNITED STATES POSTAL SERVICE

and

Case 01-CA-176465

**AMERICAN POSTAL WORKERS UNION,
AFL-CIO, BOSTON METRO AREA LOCAL 100**

DECISION AND ORDER

Statement of the Cases

On September 27, 2018, the United States Postal Service (the Respondent); American Postal Workers Union, AFL-CIO, Boston Metro Area Local 100 (the Union); and the General Counsel of the National Labor Relations Board entered into a Formal Settlement Stipulation, subject to Board approval, providing for the entry of a consent order by the Board and a consent judgment by any appropriate United States Court of Appeals. The parties waived all further and other proceedings before the Board to which they may be entitled under the National Labor Relations Act and the Board's Rules and Regulations, and the Respondent waived its right to contest the entry of a consent judgment or to receive further notice of the application therefor.

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.¹

The Formal Settlement Stipulation is approved and made a part of the record, and the proceeding is transferred to and continued before the Board in Washington, D.C., for the entry of a Decision and Order pursuant to the provisions of the Formal Settlement Stipulation.²

¹ Chairman Ring is recused and took no part in the consideration of this case.

² We note that the remedy to which the parties have agreed differs in some respects from previous broad orders that the Board has issued against the Respondent in cases alleging that the Respondent has violated Sec. 8(a)(5) of the Act by failing and refusing to provide relevant information. See, e.g., *United States Postal Service*, 345 NLRB 426 (2005), enfd. 486 F.3d 683 (10th Cir. 2007); *United States Postal Service*, 28-CA-017383 et al., unpublished order issued November 4, 2002, enfd. Case 02-9587 (10th Cir. 2003). These broad orders, as enforced by the United States Courts of Appeals, remain in effect, and the Board's approval of this stipulation does not modify these orders in any respect.

Based on the Formal Settlement Stipulation and the entire record, the Board makes the following

Findings of Fact

1. The Respondent's business

The Respondent provides postal services for the United States and operates various facilities throughout the United States in performing that function, including the facilities in its Greater Boston District of the Northeast Area. The Board has jurisdiction over the Respondent and this matter by virtue of Section 1209 of the Postal Reorganization Act (39 U.S.C. § 101 et seq.).

2. The labor organization involved

At all material times, the American Postal Workers Union, AFL-CIO, Boston Metro Area Local 100 (the Charging Party) has been a labor organization within the meaning of Section 2(5) of the National Labor Relations Act (the Act).

ORDER

Based on the above findings of fact, the Formal Settlement Stipulation, and the entire record, and pursuant to Section 10(c) of the National Labor Relations Act, the National Labor Relations Board orders that:

The Respondent, United States Postal Service, Boston, Cambridge, Hyde Park, South Boston, Fort Point, Roxbury, Malden, and Revere, Massachusetts, its officers, agents, successors, and assigns, shall

1. Cease and desist from:

(a) Failing or refusing to bargain collectively and in good faith with the American Postal Workers Union, AFL-CIO, Boston Metro Area Local 100, by failing to provide Local 100 in a timely manner with PS Form 1723s for all 204B assignments as well as all other relevant information pertaining to 204B assignments that have been requested at the Boston General Mail Facility and the Post Offices in Cambridge, Hyde Park, South Boston, Fort Point, Roxbury, Malden, and Revere in the following appropriate unit:

All employees designated as Maintenance Employees, Motor Vehicle Employees, Postal Clerks, Mail Equipment Shops Employees, Material Distribution Centers Employees, and Operating Services and Facilities Services Employees in Article 1, Section 1, entitled "Union Recognition" of the National Agreement between the APWU and the Respondent.

(b) In any like or related manner interfering with, restraining, or coercing its employees in the exercise of the rights guaranteed them by the National Labor Relations Act.

2. Take the following affirmative action necessary to effectuate the policies of the Act:

(a) Bargain collectively and in good faith with APWU and Local 100 as the exclusive collective-bargaining representative of the employees in the Unit at all facilities in the Boston Metro Area and other offices as specified in Appendix B.

(b) Supply APWU and Local 100 in a timely manner with PS Form 1723s for all 204B assignments as well as all requested related relevant information pertaining to 204B assignments.

(c) Within 14 days of service by the Region and after being signed by the Respondent's authorized representative, send to all its managers and supervisors at all facilities within the Boston Metro Area (including not only the 021 and 022 post offices in Boston itself, but also 017 Associate offices, 020 Associate Offices, and the Cambridge Post Office of "Area 2" of the Respondent's "Boston Installation" as specified in Appendix B), copies of the attached Notice to Employees, marked Appendix A. The copies of said notice shall be posted and maintained for 60 consecutive days in conspicuous places, including all places in each said facility where notices to employees are customarily posted. The Respondent will take reasonable steps to ensure that the notices are not altered, defaced, or covered by any other material. In addition to physical posting of paper notices, the Respondent shall distribute notices electronically, such as by email, posting on an intranet or internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means.

(b) Within 21 days of service by the Region, file with the Regional Director for Region 1 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply with the Order.

Dated, Washington, D.C., June 25, 2019.

Lauren McFerran, Member

Marvin E. Kaplan, Member

William J. Emanuel, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

APPENDIX A

NOTICE TO EMPLOYEES POSTED BY ORDER OF THE NATIONAL LABOR RELATIONS BOARD An Agency of the United States Government

PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER AND A CONSENT JUDGMENT OF ANY APPROPRIATE UNITED STATES COURT OF APPEALS

FEDERAL LAW GIVES YOU THE RIGHT TO:

Form, join, or assist a union;
Choose a representative to bargain with us on your behalf;
Act together with other employees for your benefit and protection;
Choose not to engage in any of these protected activities.

WE WILL NOT refuse to bargain collectively and in good faith with the American Postal Workers Union, AFL-CIO, and Boston Metro Area Local 100 (the Union) by failing to provide the Union in a timely manner with PS Form 1723s for all 204B assignments that have been requested by the Union at the Boston General Mail Facility and the Post Offices in Cambridge, Hyde Park, South Boston, Fort Point, Roxbury, Malden, and Revere in the following appropriate unit:

All employees designated as Maintenance Employees, Motor Vehicle Employees, Postal Clerks, Mail Equipment Shops Employees, Material Distribution Centers Employees, and Operating Services and Facilities Employees in Article 1, Section 1, entitled "Union Recognition" of the National Agreement between the APWU and the Respondent.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce your rights under Section 7 of the National Labor Relations Act.

WE HAVE supplied the Union with PS Form 1723s for all 204B assignments as well as all other information the Union requested pertaining to 204B assignments that involved the Boston General Mail Facility and the Post Offices in Cambridge, Hyde Park, South Boston, Fort Point, Roxbury, Malden, and Rvere.

WE WILL bargain collectively and in good faith with the Union as the exclusive collective-bargaining representative of the unit by furnishing the Union in a timely manner with PS Form 1723s for all 204B assignments as well as related requested Information pertaining to 204B assignments.

UNITED STATES POSTAL SERVICE

The Board's decision can be found at www.nlr.gov/case/01-CA-176465 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.



APPENDIX B

Greater Boston Locations

1. Allston	47 Harvard Ave. 02134
2. Arlington	10 Court St., 02474
3. Arlington Heights	1347 Mass. Ave. 02475
4. E. Arlington	240 Mass. Ave. 02474
5. Astor Station	207 Mass. Ave. 02123
6. Auburndale	2122 Comm. Ave. 02466
7. Babson Park	231 Forest St. 02457
8. Back Bay Retail	133 Clarendon St. 02116
9. Beach Branch (Revere)	151 V.F.W. Parkway 02151
10. Belmont	405 Concord St. 02478
11. Boston P&DC	25 Dorchester Ave. 02205
12. Boston College	136 Comm. Ave. 02467
13. Braintree DMU	333 Commerce Dr. 02184
14. Braintree Retail	125 Pearl St. 02185
15. Brighton	424 Washington St. 02135
16. Brookline	1295 Beacon St. 02446
17. Brookline VLG	207 Washington St. 02447
18. Cambridge Main	770 Mass. Ave. 02139
19. East Cambridge	303 Cambridge St. 02141
20. Harvard Square	125 Mt. Auburn St. 02238

21. Inman Square	1311 Cambridge St. 02139
22. Kendall Square	250 Main St. 02142
23. M.I.T. Branch	84 Mass. Ave. 02139
24. Porter Square	1953 Mass. Ave. 02140
25. Porter Sq. Carrier Annex	15 Mooney St. 02138
26. Cathedral Station	59 W. Dedham St. 02118
27. Charles St. Station	136 Charles St. 02114
28. Charlestown	23 Austin St. 02129
29. Chelsea	320 Broadway 02150
30. Chelsea Carrier Annex	307 Beacham St. 02150
31. Chestnut Hill	12 Middlesex Rd. 02467
32. Codman Sq, Retail	554 Washington St. 02125
33. Dorchester Ctr. Annex	450 Talbot Ave. 02124
34. Dorchester Retail Unit	218 Adams St. 02122
35. Fields Corner Annex	18 Clayton St. 02122
36. Grove Hall	647 Warren St. 02121
37. Uphams Corner	551 Columbia Rd. 02125
38. East Boston	50 Meridian St. 02128
39. Everett	11 Norwood St. 02149
40. Fenway Carrier Annex	1313 Boylston St. 02215
41. Fort Point Station	25 Dorchester Ave. 02205
42. Hanover St. Station	217 Hanover St. 02113
43. Hyde Park	1269 Hyde Park Ave. 02136

44. Hyde Park Carrier Annex	1575 Hyde Park Ave. 02136
45. Readville	201 Neponset Vly. Pky. 02137
46. IMC No. VMF Garage	Market & Beacham Sts. 02150
47. Jamaica Plain	655 Centre St. 02130
48. JFK Station	25 New Chardon St. 02114
49. Kenmore Square	11 Deerfield St. 02215
50. Lafayette Postal Store	7 Ave. de Lafayette 02112
51. Lexington	1661 Mass. Ave. 02420
52. Malden	109 Mountain Ave. 02148
53. Mattapan	1602 Blue Hill Ave. 02126
54. Medford	20 Forest St. 02155
55. West Medford	485 High St. 02156
56. Tufts Univ. (Medford)	470 Boston Ave. 02153
57. Melrose	23 Essex St. 02176
58. Milk Street Station	31 Milk St. 02108
59. Milton	499 Adams St. 02186
60. Milton Village	50 Adams St. 02187
61. Mission Hill Post Office	1575 Tremont St. 02120
62. Needham	1150 Great Plain Ave. 02492
63. Needham Heights	844 Highland Ave. 02494
64. Newton Center Annex	211 Sumner St. 02459
65. Newton Center Retail	716 Beacon St. 02459
66. Newton Highlands	63 Lincoln St. 02461

67. Newton Lower Falls	2344 Washington St. 02462
68. Newton Upper Falls	77 Oak Street 02464
69. Newtonville	897 Washington St. 02460
70. New Town Branch	123 Galen St. 02456
71. Nonantum	326 Watertown St. 02495
72. West Newton	525 Waltham St. 02465
73. Prudential Center	800 Boylston St. 02199
74. Quincy	47 Washington St. 02169
75. No. Quincy	454 Hancock St. 02171
76. No. Quincy Annex	615 Hancock St. 02171
77. Wollaston (Quincy)	5 Beach St. 02170
78. Revere Retail Unit	300 Broadway 02151
79. Revere Carrier Unit	140 Ward Street 02151
80. Roslindale	16 Cummins Highway 02131
81. Roxbury Station (DMU)	55 Roxbury St. 02119
82. Soldiers Field	117 Western Ave. Ste 2
83. Union Square	18 Bow St. 02143
84. West Somerville	58 Day St. 02144
85. Winter Hill (Somerville)	320 Broadway 02145
86. South Boston	444 East 3 rd St. 02127
87. State House	24 Beacon St. 02133
88. Stoneham	345 Main St. 02180
89. VMF Boston	135 "A" St. 02210

90. Waban	83 Wyman St. 02468
91. Waltham Branch	776 Main St. 02451
92. North Waltham	846A Lexington St. 02454
93. South Waltham	38 Spruce St. 02453
94. Waltham Carrier Annex	200 Smith St. 02451
95. Watertown Square	126 Main St. 02471
96. Watertown Carrier Annex	170 High St. 02453
97. E. Watertown	589 Mt. Auburn St. 02472
98. Waverly	38 Church St. 02479
99. Wellesley Square	1 Grove St. 02482
100. Wellesley Hills	337 Washington St. 02481
101. Weston	25 Colpitts Road 02493
102. West Roxbury	1834 Centre St. 02132
103. Weymouth Landing	103 Washington St. 02188
104. E. Weymouth	1377 Commercial St. 02189
105. N. Weymouth	53 Sea St. 02191
106. S. Weymouth	84 Pleasant St. 02190
107. Winthrop	5 Michaels Mall 02152
108. Bedford	158 Great Rd. Unit J 01730
109. Carlisle	70 Bedford Rd. 01741
110. Framingham	330 Cochituate 01701
111. Holliston	1661 Washington St. 01746
112. Lincoln	145 Lincoln Rd. 01773

113.	Lincoln Center	17 Lincoln Rd. 01773
114.	Natick Station	15 Common St. 01760
115.	Natick	18 Huron Dr. 01760
116.	Sherborn	29 N. Main St. Ste. 3 01770
117.	Southborough	164 Cordaville Rd. 01772
118.	Fayville	67 Turnpike Rd. 01745
119.	Canton	661 Washington St. 02021
120.	Cohasset	100 Ripley Rd. 02025
121.	Dedham	611 High St. 02026
122.	E. Dedham	280 Bussey St. 02027
123.	Dover	5 Walpole St. 02030
124.	Foxboro	15 Wall St. 02035
125.	Green Harbor	62A Beach St. 02041
126.	Hull	515 Nantasket Ave. 02045
127.	Humarock	10 Central Ave. 02047
128.	Islington	307 Washington St. 02090
129.	Mansfield	12 Giles Pl. 02048
130.	Marshfield	111 Snow Rd. 02050
131.	Marshfield Hills	165 Prospect St. 02051
132.	Medfield	60 North St. 02052
133.	Millis	1116 Main St. 02054
134.	Minot	76 Glades Rd. 02066
135.	N. Marshfield	647 Highland St. 02059

136.	N. Scituate	357 Gannett Rd. 02066
137.	Norwell	18 Dover St. 02061
138.	Norwood	1 Central St. 02062
139.	Scituate	108 First Parish Rd. 02066
140.	Stoughton	31 Porter St. 02072
141.	Westwood	697 High St. 02090
142.	Wrentham	100 Randall Rd. 02093